

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Official Action dated August 2, 2004. Applicants thanks the Examiner for taking the undersigned representative's phone calls and providing the relevant information. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

Claims 1-17 are under consideration in this application.

Prior Art Rejections

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. §103 on the grounds of being unpatentable over U.S. Patent No. 6,741,724 to Bruce et al. (hereinafter "Bruce"), in view of U.S. Patent No. 6,695,204 to Stinson et al. (hereinafter "Stinson"). These rejections have been carefully considered, but are most respectfully traversed.

The form processing system of the invention, as now recited in claim 1, comprising: a management system of form identification dictionary including a manager of form identification dictionary for creating and managing a form identification dictionary for identifying a type of a form; and a plurality of form processing terminals, each of said form processing terminals having a form identification dictionary for identifying the type of the form, and identifying the form to process the form. The management system of form identification dictionary and said plurality of form processing terminals are interconnected via a network. The form processing terminal, upon occurrence of failure in identification of the form based on said form identification dictionary of said form processing terminal itself, transmits image information of the form to said management system of form identification dictionary. In particular, said management system of form identification dictionary, when said image information of the *form* transmitted from said form processing terminal has not yet been registered in said *form* identification dictionary of said manager of form identification dictionary, creates information for identifying the type of the

form, stores the created information in said form identification dictionary of said manager of form identification dictionary, and transmits the created information to said form processing terminal. The last paragraphs of other independent claims recite a similar feature.

In other words, when the terminal/system fails to identify the type of the form, i.e., a new form, it adds the new form into the form identification dictionary or revises/updates an existing form. The invention changes the form identification information (to be used to identify form types) to cope with a vast number of kinds of formats and forms (p.4, lines 14-20). The identification dictionary is a dictionary containing information used for identification of form types, e.g., Figs. 3-4. It contains information that would be pre-printed on the form, such as "NIPPON LIMITED" and character string "YOUR NAME" (what might be called the indexes), but not any elements to be filled in by individual users and would be different with each of the forms of the same type, such as "ICHIRO SUZUKI" (the actual name) or "AUG. 1999" (what might be called the content). It is this FORM identification information that is the object of updating in the dictionary.

Applicants respectfully contend that none of the cited prior art references teaches or suggests "when said image information of the *form* transmitted from said form processing terminal has not yet been registered in said *form* identification dictionary, creating information for identifying the type of the form, storing the created information in said form identification dictionary, and transmitting the created information to said form processing terminal" as in the invention

In contrast, Bruce only processes an existing information form, such as a postal change of address form (Abstract), but not revising an existing form or adding a new form in a form identification dictionary. Even if, arguendo, Bruce's system inherently has a dictionary for storing several forms (col. 1, lines 11-15), Bruce does not revise an existing form or add a new form in the dictionary.

In addition, the data elements updated in Bruce is human-written ("*those inevitable persons who cannot stay [write] inside the lines*" col. 4, lines 25-26) address data (rather than any pre-printed forms) to be stored in a National Change of Address (NCOA) database (col. 2, lines 61-64). The NCOA address database is essentially different from the form identification dictionary of the invention since the NCOA database cannot be referred to in order to perform

form analysis. Naturally, Bruce has no need to and does not transmit the updated address data back to the scanner. As admitted by the Examiner, Bruce does not teach transmitting the created information to said form processing terminal (p. 4, lines 3-4 of the outstanding office action).

Moreover, rather than extracting pre-printed forms as the invention, Bruce's "OCR software *ignores the preprinted data on the form* (col. 4, line 27)," but only cares for addresses written by a user. It is well established that a rejection based on cited references having principles that teach away from the invention is improper.

Stinson was relied upon by the Examiner to teach transmitting the created information to said form processing terminal. However the check cashing unit only accept existing check forms, but not accepting any new check form such that it does not created any data of a new form to be transmitted to a form processing terminal.

Although the invention applies the general text data identification and updating mechanism, the invention applies the mechanism on **FORMs** to achieve unexpected results or properties. For example, handling a vast number of kinds of pre-printed formats and forms. The presence of these unexpected properties is evidence of nonobviousness. MPEP§716.02(a).

"Presence of a property not possessed by the prior art is evidence of nonobviousness. In re Popesch, 315 F.2d 381, 137 USPQ 43 (CCPA 1963) (rejection of claims to compound structurally similar to the prior art compound was reversed because claimed compound unexpectedly possessed anti-inflammatory properties not possessed by the prior art compound); Ex parte Thumm, 132 USPQ 66 (Bd. App. 1961) (Appellant showed that the claimed range of ethylene diamine was effective for the purpose of producing " 'regenerated cellulose consisting substantially entirely of skin' " whereas the prior art warned "this compound has 'practically no effect.' ").

Although "[t]he submission of evidence that a new product possesses unexpected properties does not necessarily require a conclusion that the claimed invention is nonobvious. In re Poyne, 606 F.2d 303, 203 USPQ 245 (CCPA 1979). See the discussion of latent properties and additional advantages in MPEP § 2145," the three unexpected properties were unknown and non-inherent functions in view of Bruce, since Bruce does not inherently achieve the same

results. In other words, these advantages would not flow naturally from following the teachings of Bruce, since Bruce fails to suggest applying text data identification and updating mechanism on *FORMs*.

Applicants further contend that the mere fact that one of skill in the art could modify Bruce to meet the terms of the claims is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation or reason for one skilled in the art to provide the unexpected properties, such as handling a vast number of kinds of pre-printed formats and forms, without the benefit of appellant's specification, to make the necessary changes in the reference device. *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353 (Bd. Pat. App. & Inter. 1984). MPEP§2144.04 VI C.

Applicants contend that neither Bruce, Stinson, nor their combination teaches or discloses each and every feature of the present invention as disclosed in independent claims 1-2, 6-7, 10 and 13. As such, the present invention as now claimed is distinguishable and thereby allowable over the rejections raised in the Office Action. The withdrawal of the outstanding prior art rejections is in order, and is respectfully solicited.

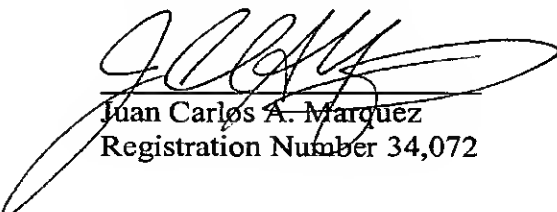
Conclusion

In view of all the above, clear and distinct differences as discussed exist between the present invention as now claimed and the prior art reference upon which the rejections in the Office Action rely, Applicants respectfully contend that the prior art references cannot anticipate the present invention or render the present invention obvious. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

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November 1, 2004

SPF/JCM/JT